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EXAMINER
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SIMITOSKI, MICHAEL J

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/593,677	<b>Applicant(s)</b> KATTA ET AL.	
	<b>Examiner</b> Michael J Simitoski	<b>Art Unit</b> 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2004.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-89 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 85-89 is/are allowed.
- 6) ☒ Claim(s) 1-84 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

**DETAILED ACTION**

1. The response of 7/26/04 was received and considered.
2. Claims 1-89 are pending.
3. Claims 85-89 are allowed.

***Response to Arguments***

4. Claims 85-89 are allowed because claims 85-89 are claims 15, 28, 40, 49 & 80, which were objected to, but considered to contain allowable subject matter, rewritten in independent form (Applicant's response, p. 44, ¶2).
5. Applicant's response amends 7, 33, 36, 38, 46 & 77; in light of this amendment, the rejections of these claims under 35 U.S.C. §112, ¶2 are withdrawn.
6. Applicant's response amends claims 1, 19, 29, 42, 51, 58, 62, 66, 70 & 81-84 to include "searching" for a data section in the content data. This limitation is not supported by the original disclosure and is therefore new matter.
7. Applicant's arguments filed 7/26/04 have been fully considered but they are not persuasive.
8. Applicant's response (p. 39 ¶1, p. 40 ¶1 & ¶3, p. 41 ¶2, p. 42 ¶2 & ¶4 & p. 43 ¶5) asserts that the cited references either alone or in combination fail to teach searching for and referring to the data section in the content data based on a reference instruction. However, applicant is directed to Fig. 6 of Yorke-Smith, where the data file is traversed as such that a control block (cryptographic information) is read for the next record (data content) using data in the control block (cryptographic information), the specified part (of the content data) is extracted and

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decrypted using information in the control block and the next control block is found. The reference instruction is S, L<sub>1</sub>, L<sub>2</sub>, which indicates the data section to be referred to (col. 3, line 25 – col. 4, line 54 & Fig. 3).

9. Applicant's response (p. 41, ¶4) asserts that Kelly is addressing a “very different issue” and therefore cannot be combined to teach searching for a specific data section. However, the Office Action relies on Kelly to teach a situation when it would be beneficial to read encrypting information (similar to the cryptographic information) from a storage medium associated with another user. Kelly teaches that when an intermediary is involved, the intermediary uses encrypting information (secret code key, random number) associated with the ultimate recipient to encrypt the data (col. 10, lines 23-48). The Kelly invention, the Yorke-Smith invention and the instant application are concerned with encrypting data to be later decrypted. Ultimately, Kelly is not relied upon for teaching searching for a specific data section in the content data, as suggested by applicant.

### ***Specification***

10. The amendment filed 7/26/04 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material, which is not supported by the original disclosure, is as follows: The original disclosure does not disclose “searching for the data section in the content data”.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

11. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

12. Claims 1-84 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification does not disclose "searching for a specific data section in the read content data".

***Claim Rejections - 35 USC § 112***

13. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14. Claim 77 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
15. Claim 77 recites the limitation "the certain bit sequence" in line 3. There is insufficient antecedent basis for this limitation in the claim.
16. Claim 77 recites the limitation "the bit pattern information" in lines 34. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

17. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

18. Claims 42-44, 47, 48, 66-69 & 84, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,548,648 to Yorke-Smith.

Regarding claim 42, Yorke-Smith discloses a content data obtaining means/input means for obtaining content data (see Fig. 7), a cryptographic information obtaining means/input means for obtaining cryptographic information/control block including information specifying a part on which cryptographic processing/decryption is to be performed in the contents data/data segment (see col. 2, lines 65-67 & col. 3, lines 1-9), the information including a reference instruction/(S and L<sub>2</sub>) indicating that the data section/segment in the content data be referred to (see col. 5, lines 23-37), a part specifying means for specifying the certain part of the content data based on the cryptographic information (see col. 3, lines 1-9 & col. 4, lines 23-54), by referring to the data section/segment as indicated by the reference instruction/(S and L<sub>2</sub>) (see col. 5, lines 23-37 & col. 9, lines 15-26), and a cryptographic processing means for performing one of encryption and decryption on the certain part (see Fig. 6 & Fig. 7).

Regarding claim 43, Yorke-Smith discloses that the cryptographic information includes bit pattern information/(S) showing a certain bit sequence, and the part specifying means detects, in the content data, bit data that matches the bit sequence/(S) shown in the bit pattern information/(S), and uses a location of the bit data as a basis for specifying the certain part/data

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segment, the certain part having a fixed positional relationship to the bit data (see col. 5, lines 23-37 & col. 6, lines 1-5).

Regarding claim 44, Yorke-Smith discloses that the cryptographic information/control block includes a reference instruction/(S and  $L_2$ ) indicating that the data section/segment in the content data be referred to (see col. 5, lines 23-37), the data section showing a length/ $L_2$  of the certain part/data segment (see col. 4, lines 46-54), and the part specifying means specifies the certain part by referring to the data section/segment as indicated by the reference instruction/(S and  $L_2$ ) (see col. 5, lines 23-37 & col. 9, lines 15-26) and calculating the length/ $L_1$  (see col. 4, lines 46-54) of the certain part based on the referenced data section (see col. 4, lines 23-54 & col. 5, lines 23-37).

Regarding claim 47, Yorke-Smith discloses the cryptographic information/control block further including at least one piece of algorithm information/F for specifying an algorithm/encryption function used for cryptographic processing (see col. 3, lines 49-50), and the cryptographic processing means/encryption means performing one of encryption and decryption on the certain part/data segment using the specified algorithm/encryption function (see Fig. 6 & col. 2, lines 50-64).

Regarding claim 48, Yorke-Smith discloses the cryptographic information including a plurality of pieces of algorithm/encryption function information (see col. 2, lines 65-67 & col. 3, lines 1-2), and pieces of range information/( $L_1$ ,  $L_2$ , S) each showing a range over which an algorithm is applied (see col. 4, lines 41-45), and the cryptographic processing means selecting, for each application range in the certain part/data segment, a piece of the algorithm information/encryption function based on the range information/( $L_1$ ,  $L_2$ , S), and using an

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algorithm/encryption function specified by the piece of algorithm information to perform one of the encryption and decryption on the application range (see col. 2, lines 50-67, col. 3, lines 1-9 & col. 4, lines 23-54).

Regarding claim 66, the method claim is substantially equivalent to apparatus claim 42. Therefore, claim 66 is rejected under similar rationale.

Regarding claim 67, the method claim is substantially equivalent to apparatus claim 43. Therefore, claim 67 is rejected under similar rationale.

Regarding claim 68, the method claim is substantially equivalent to apparatus claim 44. Therefore, claim 68 is rejected under similar rationale.

Regarding claim 69, the method claim is substantially equivalent to apparatus claim 47. Therefore, claim 69 is rejected under similar rationale.

Regarding claim 84, method claim is substantially equivalent to apparatus claim 42. Therefore, claim 84 is rejected under similar rationale.

### ***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 1-5, 8-14, 16, 17, 70-76, 78 & 79, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yorke-Smith in view of U.S. Patent 6,052,780 to Glover.



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Regarding claim 1, Yorke-Smith discloses reading content data/data segments (see col. 1, lines 48-60) and cryptographic information/control block from a storage medium/disc drive (see col. 5, lines 23-37 & col. 6, lines 1-5), the cryptographic information including information/(S and L<sub>2</sub>) used to specify a certain part of the content data on which cryptographic processing is to be performed (see col. 5, lines 27-37), a part specifying means for specifying, based on the read cryptographic information, the certain part of the read content data (see col. 5, lines 23-37 & col. 6, lines 1-5), and a cryptographic processing means/encryption means for performing one of encryption or decryption on the certain part of the read content data (see col. 5, lines 23-37 & col. 6, lines 1-5). Yorke-Smith lacks the storage medium being portable. However, Glover teaches that encrypting multimedia content and distributing the content on portable media, such as DVD or CD-ROM prevents unauthorized copying of the content (see col. 3, lines 1-18 & 36-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a portable medium in the Yorke-Smith system. One of ordinary skill in the art would have been motivated to perform such a modification to store data, as a means to securely distribute multimedia data, as taught by Glover (see col. 3, lines 1-18 & 36-50).

Regarding claim 2, Yorke-Smith, as modified above, discloses a plurality of pieces of content data are recorded as a file on the storage medium (see col. 6, lines 1-5), along with the cryptographic information/control block for each of a plurality of file types (see col. 5, lines 23-37 & col. 6, lines 1-15), and the data reading means reads, from the storage medium, the content data/data segments of a file and the cryptographic information/control block for a corresponding file type (see col. 1, lines 48-60 & col. 6, lines 1-15).

Regarding claims 3 & 10, as modified above, Yorke-Smith discloses that the cryptographic information/control block includes a reference instruction/(S and  $L_2$ ) indicating that the data section/segment in the content data be referred to (see col. 5, lines 23-37), and the part specifying means specifies the certain part by referring to the data section/segment as indicated by the reference instruction/(S and  $L_2$ ) (see col. 5, lines 23-37 & col. 9, lines 15-26).

Regarding claim 4, as modified above, Yorke-Smith discloses that the cryptographic information includes bit pattern information/(S) showing a certain bit sequence, and the part specifying means detects, in the content data, bit data that matches the bit sequence/(S) shown in the bit pattern information/(S), and uses a location of the bit data as a basis for specifying the certain part/data segment, the certain part having a fixed positional relationship to the bit data (see col. 5, lines 23-37 & col. 6, lines 1-5).

Regarding claim 5, as modified above, Yorke-Smith discloses that the indicated data section shows a length/ $L_2$  of the certain part/data segment (see col. 4, lines 46-54), and the part specifying means specifies the certain part of the content data/data segment by referring to the data section as indicated by the reference instruction/(S and  $L_2$ ), and calculating the length/ $L_1$  (see col. 4, lines 46-54) of the certain part based on the referenced data section (see col. 4, lines 23-54 & col. 5, lines 23-37).

Regarding claim 8, 9 & 13, as modified above, Yorke-Smith discloses the cryptographic information/control block further including at least one piece of algorithm information/F for specifying an algorithm/encryption function used for cryptographic processing (see col. 3, lines 49-50), and the cryptographic processing means/encryption means performing one of encryption

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and decryption on the certain part/data segment using the specified algorithm/encryption function (see Fig. 6 & col. 2, lines 50-64).

Regarding claims 11 & 16, as modified above, Yorke-Smith discloses the cryptographic processing means encrypting the certain part (see Fig. 4), and the cryptographic apparatus further comprising a content data recording means/output means (see Fig. 7) for recording the encrypted content data onto the storage medium/disk drive (see Fig. 7).

Regarding claim 12 & 17, as modified above, Yorke-Smith discloses the cryptographic processing means decrypting the certain part of the content data (see Fig. 6 & col. 5, lines 27-37), and the cryptographic apparatus further comprising an encrypting information reading means/input means for reading, from another portable storage medium/disc drive encrypting information including information used to specify a certain part in the decrypted content data to be encrypted (see Fig. 6 & Fig. 7).

Regarding claim 14, as modified above, Yorke-Smith discloses the cryptographic information including a plurality of pieces of algorithm/encryption function information (see col. 2, lines 65-67 & col. 3, lines 1-2), and pieces of range information/( $L_1$ ,  $L_2$ ,  $S$ ) each showing a range over which an algorithm is applied (see col. 4, lines 41-45), and the cryptographic processing means selecting, for each application range in the certain part/data segment, a piece of the algorithm information/encryption function based on the range information/( $L_1$ ,  $L_2$ ,  $S$ ), and using an algorithm/encryption function specified by the piece of algorithm information to perform one of the encryption and decryption on the application range (see col. 2, lines 50-67, col. 3, lines 1-9 & col. 4, lines 23-54).

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Regarding claim 70, Yorke-Smith discloses a content data recording area/disc drive (see Fig. 7) in which content data, of which a certain part has been encrypted, is recorded (see col. 2, lines 50-64), and a cryptographic information recording area/control block in which cryptographic information, including information used to specify the certain part of the content data/data segment, is recorded (see Fig. 4, col. 2, lines 50-64, col. 4, lines 55-67 & col. 5, lines 1-26). Yorke-Smith lacks a *portable* storage medium. However, Glover teaches that encrypting multimedia content and distributing the content on portable media, such as DVD or CD-ROM prevents unauthorized copying of the content (see col. 3, lines 1-18 & 36-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a portable medium in the Yorke-Smith system. One of ordinary skill in the art would have been motivated to perform such a modification to store data, as a means to securely distribute multimedia data, as taught by Glover (see col. 3, lines 1-18 & 36-50).

Regarding claim 71, Yorke-Smith, as modified above, discloses each of a plurality of pieces of encrypted content data being recorded as a file in the content data recording area (see col. 5, lines 11-37 & col. 6, lines 1-15), and cryptographic information is recorded in the cryptographic information recording area according to file type/format (see col. 5, lines 11-22).

Regarding claim 72, as modified above, Yorke-Smith discloses the cryptographic information/control block (see col. 5, lines 23-37), but lacks a reference instruction instructing a decrypting apparatus decrypting the content data to refer to a data section in the content data. However, Glover teaches that a self-decrypting digital information product, including instructions for decryption, allows easy distribution and prevents unauthorized copying (see col. 3, lines 1-18 & 36-50 & col. 4, lines 36-64). Therefore, it would have been obvious to one

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having ordinary skill in the art at the time the invention was made to include a reference instruction for instructing a decryption apparatus to refer to a data section in the content data to perform decryption on the content. One of ordinary skill in the art would have been motivated to perform such a modification to allow easy distribution and to prevent unauthorized copying, as taught by Glover (see col. 3, lines 1-18 & 36-50 & col. 4, lines 36-64).

Regarding claim 73, Yorke-Smith, as modified above, discloses that the cryptographic information includes bit pattern information/(S) showing a certain bit sequence, and the certain part having a fixed positional relationship to the bit data (see col. 5, lines 23-37 & col. 6, lines 1-5). Yorke-Smith lacks an instruction instructing the decrypting apparatus to detect, in the content data, bit data matching the certain bit sequence/(S) and use a location of the bit data as a basis for specifying the certain part. However, Glover teaches that a self-decrypting digital information product, including instructions for decryption, allows easy distribution and prevents unauthorized copying (see col. 3, lines 1-18 & 36-50 & col. 4, lines 36-64). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include instructions for instructing a decryption apparatus to detect matching bit data in the content data. One of ordinary skill in the art would have been motivated to perform such a modification to allow easy distribution and to prevent unauthorized copying, as taught by Glover (see col. 3, lines 1-18 & 36-50 & col. 4, lines 36-64).

Regarding claim 74, Yorke-Smith, as modified above, discloses that the indicated data section shows a length/ $L_2$  of the certain part/data segment (see col. 4, lines 46-54), and the part specifying step specifies the certain part of the content data/data segment by referring to the data section as indicated by the reference instruction/(S and  $L_2$ ), and calculating the length/ $L_1$  (see

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col. 4, lines 46-54) of the certain part based on the referenced data section (see col. 4, lines 23-54 & col. 5, lines 23-37).

Regarding claims 75 & 78, as modified above, Yorke-Smith discloses at least one piece of algorithm information/F for specifying an algorithm/encryption function to be used when decrypting the content data (see col. 3, lines 49-50).

Regarding claim 76, Yorke-Smith, as modified above, discloses the cryptographic information/control block including a reference instruction/(S and  $L_2$ ) indicating that the data section/segment in the content data be referred to (see col. 5, lines 23-37).

Regarding claim 77, Yorke-Smith, as modified above and as best understood, discloses a detect instruction/S for detecting from the content data/DS, bit data that matches the certain bit sequence shown by the bit pattern information, and specifies the order in which the reference and detect instructions are performed (S must be found before calculating  $L_2$ ) (Fig. 1 & col. 3, lines 25-54).

Regarding claim 79, Yorke-Smith, as modified above, discloses the cryptographic information including a plurality of pieces of algorithm/encryption function information (see col. 2, lines 65-67 & col. 3, lines 1-2), and pieces of range information/( $L_1$ ,  $L_2$ , S) each showing a range over which an algorithm is applied (see col. 4, lines 41-45).

21. Claims 18, 58, 59 & 82, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yorke-Smith in view of Glover, as applied to claim 17, in further view of U.S. Patent 5,475,757 to Kelly.

Regarding claim 18, Yorke-Smith discloses an encrypting information reading means/input means for reading, from another portable storage medium/disc drive (see Fig. 7), encrypting information/control block including information used to specify a certain part/data segment in the content data to be decrypted (see col. 4, lines 23-54, col. 5, lines 23-37 & col. 6, lines 1-5) and a content data recording means/output means (see Fig. 7) for recording the encrypted content data onto the other storage medium. Yorke-Smith lacks encrypting data based on the control blocks of decrypted data. However, Kelly teaches that when an intermediary is involved in a transmission, a message is decrypted, and then re-encrypted using the same algorithm and secret code key to safeguard the message (see col. 10, lines 23-48). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to specify a certain part/data segment to be encrypted in decrypted content data according to encrypting information and to encrypt the part specified by the encrypting information. One of ordinary skill in the art would have been motivated to perform such a modification to safeguard a message as it is transmitted through and intermediary through and intermediary, as taught by Kelly (see col. 10, lines 23-48).

Regarding claim 58, the method claim is substantially equivalent to apparatus claim 18. Therefore, claim 58 is rejected under similar rationale.

Regarding claim 59, Yorke-Smith discloses the storage medium/disc drive storing a plurality of pieces of content data/data segments as files, along with cryptographic information/control blocks for a plurality of file types corresponding to files that can be stored on the storage medium (see col. 5, lines 23-26), and the cryptographic information reading means/input means reads the cryptographic information/control block (see Fig. 4) for a file

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type/format (see col. 5, lines 11-22) from the storage medium, and the content data recording means/output means records the encrypted content data onto the storage medium/disc drive as a file of the file type/format (see col. 5, lines 11-22) corresponding to the read cryptographic information/control block (see col. 4, lines 55-67 & col. 5, lines 1-26).

Regarding claim 82, the method claim is substantially equivalent to apparatus claim 18. Therefore, claim 82 is rejected under similar rationale.

22. Claims 19-27, 51-57, 60, 61 & 81, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yorke-Smith in view of Glover, in further view of Kelly.

Regarding claim 19, Yorke-Smith discloses a content data obtaining means/input means for obtaining content data (see Fig. 7), a cryptographic information reading means/input means for reading, from portable storage medium/disc drive (see Fig. 7), cryptographic information/control block including information used to specify a certain part of the content data/data segment on which cryptographic processing/decryption is to be performed (see col. 2, lines 65-67 & col. 3, lines 1-9), a part specifying means for specifying the certain part of the obtained content data based on the read cryptographic information (see col. 3, lines 1-9 & col. 4, lines 23-54), a cryptographic processing means for encrypting a certain part (see col. 2, lines 50-64), and a content data recording means/output means (see Fig. 7) for recording the encrypted content data onto the storage medium/disc drive (see Fig. 7). Yorke-Smith discloses generating the cryptographic information/control block, writing to the storage medium/disc drive and reading the cryptographic information/control block for decryption purposes, but lacks encryption based on the cryptographic information/control block. However, Kelly teaches that



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when an intermediary is involved in a transmission, a message is decrypted, and then re-encrypted using the same algorithm and secret code key to safeguard the message (see col. 10, lines 23-48). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to specify a certain part/data segment to be encrypted in the control block and to include means to encrypt the part specified by the cryptographic information. One of ordinary skill in the art would have been motivated to perform such a modification to safeguard a message as it is transmitted through and intermediary, as taught by Kelly (see col. 10, lines 23-48).

Regarding claim 20, Yorke-Smith, as modified above, discloses the storage medium/disc drive storing a plurality of pieces of content data/data segments as files, along with cryptographic information/control blocks for a plurality of file types corresponding to files that can be stored on the storage medium (see col. 5, lines 23-26), and the cryptographic information reading means/input means reads the cryptographic information/control block (see Fig. 4) for a file type/format (see col. 5, lines 11-22) from the storage medium, and the content data recording means/output means records the encrypted content data onto the storage medium/disc drive as a file of the file type/format (see col. 5, lines 11-22) corresponding to the read cryptographic information/control block (see col. 4, lines 55-67 & col. 5, lines 1-26).

Regarding claim 21, Yorke-Smith, as modified above, discloses that the cryptographic information includes bit pattern information/(S) showing a certain bit sequence, and the part specifying means detects, in the content data, bit data that matches the bit sequence/(S) shown in the bit pattern information/(S), and uses a location of the bit data as a basis for specifying the

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certain part/data segment, the certain part having a fixed positional relationship to the bit data (see col. 5, lines 23-37 & col. 6, lines 1-5).

Regarding claims 22 & 25, Yorke-Smith, as modified above, discloses that the cryptographic information/control block includes a reference instruction/(S and  $L_2$ ) indicating that the data section/segment in the content data be referred to (see col. 5, lines 23-37), the data section showing a length/ $L_2$  of the certain part/data segment (see col. 4, lines 46-54), and the part specifying means specifies the certain part by referring to the data section/segment as indicated by the reference instruction/(S and  $L_2$ ) (see col. 5, lines 23-37 & col. 9, lines 15-26) and calculating the length/ $L_1$  (see col. 4, lines 46-54) of the certain part based on the referenced data section (see col. 4, lines 23-54 & col. 5, lines 23-37).

Regarding claim 23 & 26, Yorke-Smith, as modified above, discloses the cryptographic information/control block further including at least one piece of algorithm information/F for specifying an algorithm/encryption function used for cryptographic processing (see col. 3, lines 49-50), and the cryptographic processing means/encryption means performing one of encryption and decryption on the certain part/data segment using the specified algorithm/encryption function (see Fig. 6 & col. 2, lines 50-64).

Regarding claim 24, Yorke-Smith discloses that the cryptographic information includes bit pattern information/(S) showing a certain bit sequence, and the part specifying means detects, in the content data, bit data that matches the bit sequence/(S) shown in the bit pattern information/(S), and uses a location of the bit data as a basis for specifying the certain part/data segment, the certain part having a fixed positional relationship to the bit data (see col. 5, lines 23-37 & col. 6, lines 1-5).

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Regarding claim 27, Yorke-Smith discloses the cryptographic information including a plurality of pieces of algorithm/encryption function information (see col. 2, lines 65-67 & col. 3, lines 1-2), and pieces of range information/( $L_1$ ,  $L_2$ ,  $S$ ) each showing a range over which an algorithm is applied (see col. 4, lines 41-45), and the cryptographic processing means selecting, for each application range in the certain part/data segment, a piece of the algorithm information/encryption function based on the range information/( $L_1$ ,  $L_2$ ,  $S$ ), and using an algorithm/encryption function specified by the piece of algorithm information to perform one of the encryption and decryption on the application range (see col. 2, lines 50-67, col. 3, lines 1-9 & col. 4, lines 23-54).

Regarding claim 51, the method claim is substantially equivalent to apparatus claim 1. Therefore, claim 51 is rejected under similar rationale.

Regarding claim 52, the method claim is substantially equivalent to apparatus claim 2. Therefore, claim 52 is rejected under similar rationale.

Regarding claim 53, the method claim is substantially equivalent to apparatus claim 4. Therefore, claim 53 is rejected under similar rationale.

Regarding claim 54, the method claim is substantially equivalent to apparatus claim 8. Therefore, claim 54 is rejected under similar rationale.

Regarding claim 55, the method claim is substantially equivalent to apparatus claim 11. Therefore, claim 55 is rejected under similar rationale.

Regarding claim 56, the method claim is substantially equivalent to apparatus claim 17. Therefore, claim 56 is rejected under similar rationale.

Regarding claim 57, the method claim is substantially equivalent to apparatus claim 12. Therefore, claim 57 is rejected under similar rationale.

Regarding claim 60, the method claim is substantially equivalent to apparatus claim 4. Therefore, claim 60 is rejected under similar rationale.

Regarding claim 61, the method claim is substantially equivalent to apparatus claim 8. Therefore, claim 61 is rejected under similar rationale.

Regarding claim 81, the method claim is substantially equivalent to apparatus claim 1. Therefore, claim 81 is rejected under similar rationale.

23. Claims 29-31, 34, 37-39, 41, 50, 62, 63, 65 & 83, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yorke-Smith in view of U.S. Patent 5,875,349 to Cornaby et al. (Cornaby).

Regarding claim 29, Yorke-Smith discloses a data obtaining means/input means for obtaining, from received data, content data (see Fig. 7), and cryptographic information/control block including information used to specify a certain part of the content data/data segment on which cryptographic processing/decryption is to be performed (see col. 2, lines 65-67 & col. 3, lines 1-9), the received data consisting of content data and cryptographic information/control block that been transmitted from a storage medium, such as a disc drive (see Fig. 7), a part specifying means for specifying the certain part of the obtained content data based on the obtained cryptographic information/control block (see col. 3, lines 1-9 & col. 4, lines 23-54), and a cryptographic processing means/encryption means for performing one of encryption and decryption on the certain part of the content data (see Fig. 6 & Fig. 7). Yorke-Smith does not

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disclose the transmitted information being multiplexed. However, Cornaby teaches an arrangement for allowing a computer to communicate with a storage device, over a bus, such as a multiplexed bus (see col. 11, lines 64-67 & col. 12, lines 1-16), that allows the computer to control some of the operations of the storage device, reducing the cost and complexity of the drive (see col. 9, lines 23-36). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the Cornaby arrangement, with a multiplexed bus, in the Yorke-Smith system. One of ordinary skill in the art would have been motivated to perform such a modification to gain the benefit of reduced cost and complexity in the storage device, as taught by Cornaby (see col. 9, lines 23-36, col. 11, lines 64-67 & col. 12, lines 1-16).

Regarding claim 30, Yorke-Smith discloses that the cryptographic information/control block includes a reference instruction/(S and L<sub>2</sub>) indicating that the data section/segment in the content data be referred to (see col. 5, lines 23-37), and the part specifying means specifies the certain part by referring to the data section/segment as indicated by the reference instruction/(S and L<sub>2</sub>) (see col. 5, lines 23-37 & col. 9, lines 15-26).

Regarding claim 31, Yorke-Smith discloses that the cryptographic information/control block includes sync pattern information/(S) showing a certain bit sequence, and the part specifying means detects, in the content data, a sync pattern data that matches the bit sequence/(S) shown in the bit pattern information/(S), and uses a location of the bit data as a basis for specifying the certain part/data segment, the certain part having a fixed positional relationship to the bit data (see col. 5, lines 23-37 & col. 6, lines 1-5).

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Regarding claim 34, Yorke-Smith discloses that the indicated data section shows a length/ $L_2$  of the certain part/data segment (see col. 4, lines 46-54), and the part specifying means specifies the certain part of the content data/data segment by referring to the data section as indicated by the reference instruction/(S and  $L_2$ ), and calculating the length/ $L_1$  (see col. 4, lines 46-54) of the certain part based on the referenced data section (see col. 4, lines 23-54 & col. 5, lines 23-37).

Regarding claims 37 & 38, as best understood, Yorke-Smith discloses the cryptographic information/control block further including at least one piece of algorithm information/F for specifying an algorithm/encryption function used for cryptographic processing (see col. 3, lines 49-50), and the cryptographic processing means/encryption means performing one of encryption and decryption on the certain part/data segment using the specified algorithm/encryption function (see Fig. 6 & col. 2, lines 50-64).

Regarding claim 39, Yorke-Smith discloses the cryptographic information including a plurality of pieces of algorithm/encryption function information (see col. 2, lines 65-67 & col. 3, lines 1-2), and pieces of range information/( $L_1$ ,  $L_2$ , S) each showing a range over which an algorithm is applied (see col. 4, lines 41-45), and the cryptographic processing means selecting, for each application range in the certain part/data segment, a piece of the algorithm information/encryption function based on the range information/( $L_1$ ,  $L_2$ , S), and using an algorithm/encryption function specified by the piece of algorithm information to perform one of the encryption and decryption on the application range (see col. 2, lines 50-67, col. 3, lines 1-9 & col. 4, lines 23-54).

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Regarding claim 41, Yorke-Smith discloses the cryptographic processing means decrypting the certain part/data segment (see Fig. 6).

Regarding claim 50, Yorke-Smith discloses the cryptographic processing means encrypting the certain part of the content data (see col. 2, lines 50-64) but lacks multiplexing. However, Cornaby teaches an arrangement for allowing a computer to communicate with a storage device, over a bus, such as a multiplexed bus (see col. 11, lines 64-67 & col. 12, lines 1-16), that allows the computer to control some of the operations of the storage device, reducing the cost and complexity of the drive (see col. 9, lines 23-36). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the Cornaby arrangement, with a multiplexed bus, in the Yorke-Smith system to multiplex and transmit the multiplex data. One of ordinary skill in the art would have been motivated to perform such a modification to gain the benefit of reduced cost and complexity in the storage device, as taught by Cornaby (see col. 9, lines 23-36, col. 11, lines 64-67 & col. 12, lines 1-16).

Regarding claim 62, the method claim is substantially equivalent to apparatus claim 29. Therefore, claim 62 is rejected under similar rationale.

Regarding claim 63, the method claim is substantially equivalent to apparatus claim 31. Therefore, claim 63 is rejected under similar rationale.

Regarding claim 65, the method claim is substantially equivalent to apparatus claim 37. Therefore, claim 65 is rejected under similar rationale.

Regarding claim 83, method claim is substantially equivalent to apparatus claim 29. Therefore, claim 83 is rejected under similar rationale.

***Conclusion***

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m.. The examiner can also be reached on alternate Fridays from 6:45 a.m. – 3:15 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached at (571) 272-3838.

**Any response to this action should be mailed to:**  
Commissioner of Patents and Trademarks  
Washington, DC 20231

**Or faxed to:**  
(703)746-7239 (for formal communications intended for entry)

**Or:**  
(571)273-3841 (Examiner's fax, for informal or draft communications, please label "PROPOSED" or "DRAFT")



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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